

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54395 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- CHACKMEHSI District- Samastipur

Manoj Paswan @ Manoj Kumar Son of Naresh Paswan Resident of Village -
Dubrama, Police Station - Chakmehsi, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Paswan Son of Late Mahendra Paswan Resident of village -
Dubrama, Police Station - Chakmehsi, District - Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-08-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Chakmehsi P.S. Case No. 08 of 2024 for the offence under Sections 363, 366-A and 34 of the Indian Penal Code lodged on 20.01.2024 by the informant, Ranjeet Paswan.

3. As per the prosecution story, the informant alleged that the victim girl has gone to attend the nature's call but failed to return. Later the role of the family members came into picture, upon approaching them, abused, this followed the F.I.R.

4. Learned counsel for the petitioner submits that she was in relationship with this petitioner, upon return made



164 Cr.P.C. statement claiming herself to be major and further informed that she has solemnized marriage with this petitioner, he has taken this Court to learned Session Judge Order to support his contention.

5. Learned APP Mr. Jitendra Kumar Singh opposes the prayer though, he submits that the same finds incorporated in the order of the learned Session Judge.

6. Taking into account the aforesaid submissions as also the fact the petitioner do not have criminal antecedent, is a young boy of twenty years, this Court is inclined to extend him the privilege of anticipatory bail. However, if it is found that the submissions put forward by the learned counsel for the petitioner regarding section 164 of the Cr.P.C. statement made by the victim girl is incorrect, the order shall become infructuous.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur, in connection with Chakmehsi P.S. Case No. 08 of 2024, subject to the conditions as laid down under Section



438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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